

Murdough, Joshua A.

From: Linc [clhoke1@csupomona.edu]
Sent: Tuesday, May 18, 2010 3:18 PM
To: Murdough, Joshua A.
Subject: Re: Draft claim

Brilliant.

On May 18, 2010, at 6:26 AM, Murdough, Joshua A. wrote:

Mr. Hoke,

I drafted a claim which I hope embodies what your invention is. Please review the claim below and let me know if there are any issues. This is just a draft at this point. We may have to add more or be able to take away some limitations as I look at the prior art more. Also, my supervisor will have to look it over before it can be allowed.

A method of managing property rights through inclusion and enforcement of Transaction Code Identifiers (TCI's) and their licensing conditions over a third party network including internet providers, network providers, connectivity providers, digital content providers, servers, routers, and end user devices, said method comprising:

 placing a TCI in a header portion of a digital content file;

 wherein, the presence of the TCI indicates that the digital content file contains copyright or other licensing conditions and the TCI comprises:

 a generic section, which further comprises:

 human readable data which indicates that a transaction must occur in order to legally send the digital content file;

 a property specific section comprising machine readable data, the machine readable data comprises:

 the title of the content;

 the owner of the content;

 the price of the content; and

 account information indicating where payments need to be sent;

 watermarking the property specific section of the TCI;

 sending, from the owner, the data contained in the property specific section of the TCI to a server for storage and later retrieval;

 distributing the digital content file containing the TCI across the third party network;

 verifying, by a component of the third party network, that the data in the property specific section of the TCI in the distributed digital content file has not been altered;

 wherein the verifying includes:

 retrieving, from the server, the data contained in the property specific section of the TCI sent by the owner; and

comparing the data retrieved from the server with the data in the property specific section of the TCI in the distributed digital content file to ensure they agree; checking the server for information indicating that a user to which the distributed digital content file is being distributed to has paid the indicated price to the account contained in the property specific section of the TCI;

requiring information indicating the user's payment of the price to the account contained in the property specific section of the TCI to be present on the server before the component will continue to distribute the distributed digital content file;

continuing distribution of the distributed digital content file to the user;

wherein, payment records are sent to the server for all transactions involving the distributed digital content file.

Just to be clear, I am not saying this is allowable at this time. More review is needed. I need you to confirm that this is what you consider your invention to be. If not, please explain the differences.

Joshua Murdough

Patent Examiner AU 3621

U.S. Patent and Trademark Office

If nature has made any one thing less susceptible than all others of exclusive property, it is the action of the thinking power called an idea, which an individual may exclusively possess as long as he keeps it to himself; but the moment it is divulged, it forces itself into the possession of every one, and the receiver cannot dispossess himself of it.

Thomas Jefferson, Letter to Isaac McPherson, Monticello, August 13, 1813

From: Linc [mailto:cihoke1@csupomona.edu]

Sent: Monday, May 17, 2010 1:04 PM

To: Murdough, Joshua A.

Subject: Re: claims

Mr. Murdough,

Thank you for acknowledging this mornings email.
I apologize for my initial delay in getting my head around the issue.

Sincerely

Clare Hoke

On May 17, 2010, at 9:34 AM, Murdough, Joshua A. wrote:

Mr. Hoke

I need to take a bit to look this over. From a quick glance it looks like a better starting point for me. I will be breaking things up and rearranging them, so do not be surprised if they look drastically different. Also, if I have any questions I will email you again. Please reply as soon as possible to any future emails because I really need to get the claims into good form by Wednesday in order to be able to finish the other stuff needed on my end.

Joshua Murdough

Patent Examiner AU 3621

U.S. Patent and Trademark Office

If nature has made any one thing less susceptible than all others of exclusive property, it is the action of the thinking power called an idea, which an individual may exclusively possess as long as he keeps it to himself; but the moment it is divulged, it forces itself into the possession of every one, and the receiver cannot dispossess himself of it.

Thomas Jefferson, Letter to Isaac McPherson, Monticello, August 13, 1813

From: Linc [<mailto:clhoke1@csupomona.edu>]
Sent: Monday, May 17, 2010 11:12 AM
To: Murdough, Joshua A.
Subject: claims

Mr. Murdough,
Please acknowledge receipt of this email.

Applicant: Clare L. Hoke Jr.

Application # 10/713,282

Continuation In Part of Serial No.: 09/610,024

For: INTELLECTUAL PROPERTY ARCHIVE

Is this example of language more acceptable?

J). A method of de-centralized property rights management employing a centralized body of reference whereby:

step where said centralized body of reference associating, attaching, prefacing, and embedding, generic Transaction Code Identifiers (TCI) with digitized intellectual and copyrighted properties, and

step where said centralized body of reference associating maintaining record of property ownership including the requirements of transfer, sale, and proliferation of individual

intellectual and copyrighted properties, and

step where said centralized body of reference associating maintaining record of individual intellectual and copyrighted properties, and

step where said centralized body of reference associating bundling said record of ownership including requirements of transfer, sale, and proliferation of said individual intellectual and copyrighted properties within a property specific Transaction Code Identifiers and further,

step where said centralized body of reference associating, attaching, prefacing, bundling watermarking and embedding, said property specific Transaction Code Identifiers with said individual intellectual and copyrighted properties, and

step wherein said generic and property specific TCI are made autonomously machine readable within the domains of third party internet providers (IP's) network providers (NP's), connectivity providers (CP's), digital content providers (DCP's), servers, routers, and end user devices, in an unsecured environment, including the internet, and

step wherein said generic and property specific TCI are made human readable within the domains of said third party IP's, NP's, CP's, DCP's, servers, and routers, and end user devices, and

step whereupon said generic and property specific TCI are autonomously detected within the domains of said third party IP's, NP's, CP's, DCP's, servers, and routers, and

step wherein said third party IP's, NP's, CP's, DCP's, servers, and routers gate transmissions detected to contain generic or property specific TCI's within the domains of said third party IP's, NP's, CP's, DCP's, servers, and routers, and

step for said third party IP's, NP's, CP's, DCP's, servers, and routers extracting record of property ownership including the requirements of transfer, sale, and proliferation of individual intellectual and copyrighted properties from said property specific TCI, and

step for gating transmission of said individual intellectual and copyrighted properties within the domains of said third party IP's, NP's, CP's, DCP's, servers, and routers until the requirements of transfer, sale, and proliferation of individual intellectual and copyrighted properties are met in accordance with said property specific TCI

K). A method of de-centralized property rights management in accordance with claim **J** whereby:

step wherein said third party IP's, NP's, CP's, DCP's, servers, and routers, and end users verify record of property ownership including the requirements of transfer, sale, and

proliferation of individual intellectual and copyrighted properties, with said maintained record of the requirements of transfer, sale, and proliferation of said individual intellectual and copyrighted properties within said IPA.

L).). A method of de-centralized property rights management in accordance with claim **K** whereby:

said property specific TCI contain information including, but not limited to legal requirements of transfer, sale, and proliferation of said specific intellectual and copyrighted properties, said property specific TCI information also containing, but not limited to URL code(s), the property owner(s), the name of the distributor, Trademark Information, ownership breakdown , the name of the property (song title), the name of the Publisher, descriptive text strings, requirements for purchase or transfer of ownership (or further resources if such transfer may not be accomplished directly over the Internet), product incentive information for further consumer / distributor dissemination, e-mail addresses, specific addresses to be placed within header extensions of transmissions containing said TCI's, for the purpose of preferential loose source routing of said TCI and intellectual properties, digital formatting information for formats generally known to contain digitized intellectual and copyrighted properties, further computer information such as a program (applet or Java for example), return form and route for documentation of sale, the name of the Internet Servers and Web Providers involved in the transfer of the file, phone numbers, HTML document(s), the front end of a program such as Gopher, Internet domain name('s), the addresses of Web Servers, file type designations (audio), time / date code, FTP information, product update information, further artist information, artist tour dates and promotional material, pass words, music or property samples, warranty and service information, disclaimers, and accommodations for consumer feedback, in the interest of promoting commerce, and

step wherein said third party IP's, NP's, CP's, DCP's, servers, and routers autonomously inspect digital transmissions within their domains for generic and property specific TCI information and further,

step where upon said third party IP's, NP's, CP's, DCP's, servers, and routers autonomously detecting digital transmissions within their domains containing information formatted in accordance commonly associated with intellectual and copyrighted properties, said third party IP's, NP's, CP's, DCP's, servers, and routers also,

step wherein said third party IP's, NP's, CP's, DCP's, servers, and routers autonomously sample and inspect said digital transmissions within their domains for information formatted in accordance with removed, partially removed or damaged generic and property specific TCI information and formats, and further

step whereupon autonomously detecting either said formats commonly associated with intellectual and copyrighted properties, or said information formatted in accordance with removed, partially removed or damaged generic and property specific TCI information and formats, said third party IP's, NP's, CP's, DCP's, servers, and routers also autonomously gate said transmissions.